

of its measurement; providing for the manner of collection, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Stovall:

H. B. No. 27, A bill to be entitled "An Act levying a registration fee on secured debts; defining secured debts; providing a registration fee of thirty (30c) cents for each One Hundred (\$100.00) Dollars or major fraction thereof on debts secured by real estate or by real estate and personal property maturing more than one year and not more than three (3) years from date, etc., and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

ADJOURNMENT

Mr. James moved that the House adjourn until 10 o'clock a. m., tomorrow.

Mr. Quinn moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Question first recurring on the motion by Mr. Quinn, it was lost.

Question then recurring on the motion by Mr. James, it prevailed, and the House accordingly, at 5:40 o'clock p. m., adjourned until 10 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The Committee on Labor filed a favorable report on House Bill No. 11.

The Committee on State affairs filed favorable reports on House Concurrent Resolutions Nos. 2, 3, and 4; and House Bill No. 14.

The Committee on State Affairs filed an adverse report with a minority favorable on House Bill No. 22.

FIFTH DAY

(Friday, October 2, 1936.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Head
Adamson	Herzik
Adkins	Hodges
Aikin	Hofheinz
Alexander	Holland
Alsup	Hoskins
Ash	Huddleston
Atchison	Hunt
Bergman	Hunter
Bourne	Hyder
Bradbury	Jackson
Bradford	James
Bridgers	Jefferson
Broadfoot	Jones of Atascosa
Broyles	Jones of Falls
Burton	Jones of Shelby
Butler of Brazos	Jones of Wise
Butler of Karnes	Keefe
Cagle	King
Caldwell	Knetsch
Calvert	Lange
Canon	Lanning
Celaya	Latham
Collins	Leath
Colquitt	Lemens
Colson	Leonard
Cooper	Lotief
Cowley	Lucas
Craddock	Luker
Crossley	Mauritz
Daniel	McCalla
Davis	McConnell
Davison of Fisher	McFarland
Davisson	McKinney
of Eastland	Moore
Dickison	Morris
Dunagan	Morrison
Dunlap of Hays	Morse
Dunlap of Kleberg	Newton
Dwyer	Nicholson
England	Olsen
Fain	Palmer
Farmer	Patterson
Fisher	Payne
Ford	Petsch
Fox	Pope
Frazer	Quinn
Fuchs	Reader
Gibson	Reed of Bowie
Glass	Reed of Dallas
Good	Riddle
Graves	Roach of Angelina
Gray	Roach of Hunt
Greathouse	Roane
Hanna	Roark
Hardin	Roberts
Harper	Rogers
Harris of Archer	Russell
Harris of Dallas	Rutta
Hartzog	Scarborough

Sessions	Tillery
Settle	Waggoner
Shofner	Walker
Smith	Wells
Steward	Westfall
Stinson	Wood of Harrison
Stovall	Wood of Montague
Tarwater	Worley
Tennyson	Young
Thornton	Youngblood

Absent—Excused

Duvall	Moffett
Hankamer	Padgett
Hill	Spears
Howard	Stanfield
Lindsey	Venable
McKee	

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered the following invocation:

"Almighty God, through Thy wise providence our state and our nation have been richly endowed. We praise Thee for every good and perfect gift, and we pray for wisdom in the administration of Thy bounties, and in all the various duties of this day. In Christ's name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence, on account of important business:

Mr. Moffett for today, on motion of Mr. Harris of Archer.

Mr. Venable for today, on motion of Mr. Bradford.

Mr. Spears for today, on motion of Mr. Reader.

The following Members were granted leaves of absence, on account of illness:

Mr. McKee for today, on motion of Mr. Hoskins.

Mr. Padgett for today, on motion of Mr. Ford.

Mr. Howard for today, on motion of Mr. McKinney.

Mr. Hankamer temporarily for today, on motion of Mr. Jackson.

BILL ORDERED PRINTED

Mr. Farmer moved that House Bill No. 22, reported adversely with a minority favorable report, be printed.

Question recurring on the motion, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—62

Aikin	Jones of Wise
Bourne	Keefe
Bradbury	King
Broadfoot	Knetsch
Broyles	Lanning
Calvert	Leath
Celaya	Lotief
Colson	Lucas
Cooper	Luker
Cowley	Mauritz
Craddock	McConnell
Crossley	McKinney
Davis	Morris
England	Morrison
Fain	Newton
Farmer	Olsen
Fisher	Payne
Glass	Pope
Gray	Quinn
Hanna	Reed of Bowie
Hardin	Roach of Angelina
Harper	Roark
Hartzog	Roberts
Hofheinz	Rogers
Holland	Steward
Hunt	Stovall
Hunter	Tillery
Jackson	Waggoner
James	Wood of Montague
Jones of Atascosa	Worley
Jones of Shelby	Young

Nays—53

Adamson	Hodges
Adkins	Hoskins
Alexander	Huddleston
Alsup	Jefferson
Atchison	Jones of Falls
Bergman	Latham
Bradford	McCalla
Bridgers	McFarland
Burton	Nicholson
Butler of Karnes	Palmer
Cagle	Petsch
Canon	Reader
Colquitt	Riddle
Davison of Fisher	Roach of Hunt
Davisson	Roane
of Eastland	Russell
Dickison	Rutta
Dunagan	Sessions
Dwyer	Settle
Fox	Smith
Frazer	Stinson
Gibson	Tennyson
Good	Thornton
Greathouse	Walker
Harris of Archer	Wells
Harris of Dallas	Westfall
Herzik	Wood of Harrison

Absent

Ash	Lange
Butler of Brazos	Lemens
Caldwell	Leonard
Collins	Moore
Daniel	Morse
Dunlap of Hays	Patterson
Dunlap of Kleberg	Reed of Dallas
Ford	Scarborough
Fuchs	Shofner
Graves	Tarwater
Head	Youngblood
Hyder	

Absent—Excused

Duvall	Moffett
Hankamer	Padgett
Hill	Spears
Howard	Stanfield
Lindsey	Venable
McKee	

MESSAGE FROM THE SENATE

Austin, Texas, October 2, 1936.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. C. R. No. 5, To grant E. A. Schlick, et al, permission to sue the State.

Respectfully,

BOB BARKER,
Secretary of the Senate.

TO GRANT PERMISSION TO SUE
THE STATE

Mr. Bradbury offered the following resolution:

H. C. R. No. 5, To grant Mike Martin permission to sue the State.

Whereas, In or about the year 1934, the State of Texas by and through the State Highway Commission constructed a viaduct in the town of Weatherford, Parker County, Texas, on State Highway No. 1 and in connection with the construction of said viaduct and highway so changed the contour of the land at and near said highway and so constructed the viaduct as to prevent any outlet or inlet for commercial purposes or otherwise to the property of Mike Martin, a resident of the State of Texas, and the County of Jones, whose property was located near the said highway and said property was decommercialized, devaluized and completely destroyed for commercial purposes, for which damage, if any, he has not been com-

pensated in whole or in part; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the said Mike Martin be and he is hereby granted permission to bring suit against the State of Texas in any Court of competent jurisdiction in Parker County, Texas, in order to determine what damage, if any, he suffered and what compensation, if any, he may be entitled to by reason of the construction of the said viaduct, and in case suit be filed service of citation and other necessary process may be had upon the Highway Commission and the Attorney General with the same force and effect as is made in Civil cases.

The resolution was read second time.

On motion of Mr. Alsup, the resolution was referred to the Committee on State Affairs.

TO GRANT PERMISSION TO SUE
THE STATE

Mr. Bradbury offered the following resolution:

H. C. R. No. 6, To grant W. L. Walker permission to sue the State.

Whereas, In or about the year 1932, the State of Texas by and through the Highway Commission constructed a highway extending through Jones County, Texas, and known as State Highway No. 4; and in connection with the construction of said highway so changed the contour of the land at and near said highway and so constructed the same as to change the course and flow of the waters from rains and other precipitation; and

Whereas, W. L. Walker of Hamlin, Jones County, Texas, has a small building near to said highway in Hamlin, Jones County, Texas, which he claims to be damaged by reason of the increasing flow of water from rains and other precipitation across his said land by reason of the construction of said highway and change of contour of the land near the same, for which damage, if any, he has not been compensated in whole or in part; now, therefore, be it

Resolved by the House, the Senate concurring, That the said W. L. Walker be and he is hereby granted permission to bring suit against the State of Texas in any Court of competent jurisdiction in Jones County, Texas, in order to de-

termine what damage, if any, he suffered and what compensation, if any, he may be entitled to by reason of any increase flow of water over his land on account of the construction of said highway or consequent change of contour of land near thereto, and that in case suit be filed service of citation and other necessary process may be had upon the Highway Commission and the Attorney General with the same force and effect as is made in Civil cases.

The resolution was read second time.

On motion of Mr. Alsup, the resolution was referred to the Committee on State Affairs.

**TO PROVIDE FOR COMMITTEE
TO INVESTIGATE CONDITIONS
EXISTING IN STATE INSTI-
TUTIONS FOR INSANE**

Mr. Hofheinz offered the following resolution:

Whereas, There exists widespread need for new housing for individuals heretofore committed to insane institutions; and

Whereas, As many as one hundred patients in some counties, have been incarcerated in county jails at one time pending trial or transfer to a State Institution; and

Whereas, There are widespread charges openly made in the newspapers of Texas and particularly stories by the Houston press staff correspondent, Dick Vaughan, charging malfeasance, misfeasance, and nonfeasance on the part of attendants toward inmates in insane institutions and that conditions in State Insane Institutions are unsanitary and unhealthy; and

Whereas, Charges have been made in this and other sources that these unfortunates have not been properly cared for by the State; that salaries for physicians and attendants are grossly inadequate; that as few as three physicians are maintained in an institution maintaining over twenty-two hundred inmates; and

Whereas, It is charged that many inmates of State Institutions are compelled to sleep on the floor because of the overcrowded conditions in said Institutions; and

Whereas, This number, together with those now held in county jails and in private homes throughout Texas, constitute a tremendous num-

ber of individuals who should be properly cared for by this State; and

Whereas, It is the direct duty of the State of Texas to properly and adequately provide for these unfortunate insane people in this State; and

Whereas, It has been rumored that certain inmates of State Insane Institutions might apply for old age assistance from the Texas Old Age Commission; now, therefore, be it

Resolved by the Forty-fourth Legislature at this Third Called Session, That a committee of three members be appointed by the Speaker of the House to serve as a committee to investigate the conditions existing in State Insane Institutions and the conditions of various county jails throughout Texas wherein insane patients are incarcerated, and to investigate into the needs of such State Institutions, and the proper appropriation necessary to adequately provide for these unfortunates; that this committee be authorized to investigate into the truth or falsity of such charges heretofore referred to, and that said committee be requested to make a recommendation to the Forty-fifth Legislature of Texas for the appropriation necessary to properly provide for these unfortunates and such other recommendations as they may deem advisable concerning the operation and maintenance of State Institutions, and that a sum of Five Hundred Dollars be set aside out of the Contingent Expense Fund of the Forty-fourth Legislature to defray the expenses of said investigation.

The resolution was read second time.

Mr. Jones of Wise raised a point of order, on further consideration of the resolution, on the ground that the subject matter contained in the resolution has not been submitted by the Governor.

The Speaker overruled the point of order.

Mr. Reed of Bowie moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—57

Adkins	Atchison
Alexander	Bradford
Alsup	Bridgers

Burton	King
Butler of Karnes	Lanning
Cagle	Leath
Caldwell	Lucas
Canon	Luker
Cooper	Mauritz
Cowley	McFarland
Craddock	Morris
Crossley	Nicholson
Davison of Fisher	Olsen
Dickison	Palmer
Dunlap of Hays	Patterson
England	Pope
Fisher	Reed of Bowie
Ford	Russell
Hanna	Rutta
Hardin	Sessions
Harris of Archer	Stinson
Head	Tillery
Huddleston	Waggoner
Hunt	Walker
Hunter	Wells
Jackson	Westfall
Jones of Falls	Wood of Harrison
Jones of Wise	Wood of Montague
Keefe	

Nays—63

Adamson	Jefferson
Aikin	Jones of Atascosa
Bergman	Jones of Shelby
Bourne	Knetsch
Bradbury	Lange
Broyles	Latham
Calvert	Lotief
Celaya	McCalla
Collins	McConnell
Colquitt	McKinney
Colson	Moore
Daniel	Morrison
Davis	Morse
Davisson	Newton
of Eastland	Quinn
Dunagan	Reader
Fain	Reed of Dallas
Farmer	Riddle
Fox	Roach of Angelina
Gibson	Roach of Hunt
Glass	Roane
Good	Roark
Gray	Rogers
Greathouse	Shofner
Harper	Smith
Harris of Dallas	Steward
Hartzog	Stovall
Herzik	Tennyson
Hofheinz	Thornton
Holland	Worley
Hoskins	Young
James	Youngblood

Absent

Ash	Butler of Brazos
Broadfoot	Dunlap of Kleberg

Dwyer	Leonard
Frazer	Payne
Fuchs	Petsch
Graves	Roberts
Hodges	Scarborough
Hyder	Settle
Lemens	Tarwater

Absent—Excused

Duvall	Moffett
Hankamer	Padgett
Hill	Spears
Howard	Stanfield
Lindsey	Venable
McKee	

Mr. Hunt moved that the resolution be referred to the Committee on State Affairs.

Mr. Dunagan raised a point of order, on further consideration of the resolution, on the ground that the time allotted for the consideration of resolutions has expired.

The Speaker sustained the point of order.

TO PROVIDE FOR COMMITTEE TO MAKE CERTAIN INVESTIGATION

The Speaker laid before the House for consideration at this time, resolution offered on yesterday by Mr. Caldwell, in regard to the alleged rumors concerning certain doctrines taught in State Institutions of Higher Learning.

The resolution having been read second time on yesterday, with motion by Mr. Hofheinz to refer the resolution to the Committee on Live Stock and Stock Raising, pending.

Mr. Rogers moved as a substitute motion that the resolution be referred to the Committee on Education.

Mr. Jones of Wise moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—62

Adkins	Daniel
Atchison	Davis
Bergman	Davison of Fisher
Bradbury	Davisson
Bridgers	of Eastland
Broadfoot	Dickison
Burton	England
Cagle	Fain
Calvert	Fisher
Cowley	Ford
Crossley	Fox

Graves	McFarland
Gray	Moore
Harper	Morris
Harris of Archer	Morrison
Head	Newton
Hodges	Palmer
Hofheinz	Reed of Bowie
Huddleston	Roach of Hunt
Hunter	Roark
Jones of Falls	Roberts
Jones of Shelby	Rogers
Jones of Wise	Rutta
Keefe	Settle
Lange	Shofner
Lanning	Tarwater
Lemens	Tennyson
Lotief	Tillery
Lucas	Wells
Luker	Worley
McCalla	Youngblood
McConnell	

Nays—68

Adamson	Hunt
Aikin	Jackson
Alexander	James
Alsup	Jones of Atascosa
Bourne	King
Bradford	Knetsch
Broyles	Latham
Butler of Brazos	Leath
Butler of Karnes	Leonard
Caldwell	Mauritz
Canon	McKinney
Celaya	Morse
Collins	Nicholson
Colquitt	Olsen
Colson	Patterson
Cooper	Petsch
Craddock	Pope
Dunagan	Quinn
Dwyer	Reed of Dallas
Farmer	Riddle
Frazer	Roach of Angelina
Fuchs	Roane
Gibson	Russell
Glass	Sessions
Good	Smith
Greathouse	Steward
Hankamer	Stinson
Hanna	Thornton
Hardin	Waggoner
Harris of Dallas	Walker
Hartzog	Westfall
Herzik	Wood of Harrison
Holland	Wood of Montague
Hoskins	Young

Absent

Ash	Payne
Dunlap of Hays	Reader
Dunlap of Kleberg	Scarborough
Hyder	Stovall
Jefferson	

Absent—Excused

Duvall	Moffett
Hill	Padgett
Howard	Spears
Lindsey	Stanfield
McKee	Venable

Question next recurring on the motion by Mr. Rogers, to refer the resolution to the Committee on Education, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—60

Adkins	Lange
Aikin	Lanning
Ash	Lemens
Atchison	Lucas
Bergman	Mauritz
Bourne	McCalla
Bridgers	McFarland
Broadfoot	Moore
Burton	Morris
Cagle	Morrison
Calvert	Newton
Daniel	Palmer
Davison of Fisher	Payne
Dickison	Quinn
Fain	Reed of Bowie
Fisher	Riddle
Ford	Roach of Angelina
Fox	Roark
Graves	Roberts
Gray	Rogers
Harper	Rutta
Head	Sessions
Herzik	Settle
Hodges	Stinson
Jackson	Tarwater
Jones of Atascosa	Tennyson
Jones of Falls	Tillery
Jones of Shelby	Wells
Jones of Wise	Worley
Keefe	Youngblood

Nays—65

Adamson	Dunagan
Alexander	Dunlap of Hays
Alsup	Dwyer
Bradbury	Farmer
Bradford	Frazer
Broyles	Fuchs
Butler of Brazos	Gibson
Butler of Karnes	Glass
Caldwell	Good
Celaya	Greathouse
Collins	Hankamer
Colquitt	Hanna
Colson	Hardin
Craddock	Harris of Dallas
Davisson	Hartzog
of Eastland	Hofheinz

Holland	Petsch
Hoskins	Pope
Huddleston	Reader
Hunt	Reed of Dallas
James	Roach of Hunt
Jefferson	Roane
King	Russell
Knetsch	Shofner
Latham	Smith
Leath	Steward
Luker	Thornton
McConnell	Waggoner
McKinney	Walker
Morse	Westfall
Nicholson	Wood of Harrison
Olsen	Wood of Montague
Patterson	Young

Absent

Canon	Harris of Archer
Cooper	Hunter
Cowley	Hyder
Crossley	Leonard
Davis	Lotief
Dunlap of Kleberg	Scarborough
England	Stovall

Absent—Excused

Duvall	Moffett
Hill	Padgett
Howard	Spears
Lindsey	Stanfield
McKee	Venable

Question then recurring on the motion by Mr. Hofheinz, to refer the resolution to the Committee on Live Stock and Stock Raising, it was lost.

Mr. Daniel moved that the resolution be referred to the Committee on State Affairs.

The motion was lost.

Mr. Worley offered the following amendment to the resolution:

Amend the resolution by adding after the word "Learning" the following "including specifically Prairie View Normal College for Colored."

Mr. Quinn moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—108

Adamson	Atchison
Adkins	Bergman
Aikin	Bourne
Alexander	Bradbury
Alsup	Bradford

Bridgers	Jones of Shelby
Broadfoot	Jones of Wise
Broyles	Knetsch
Burton	Lange
Butler of Brazos	Lanning
Butler of Karnes	Latham
Cagle	Leath
Caldwell	Lemens
Calvert	Leonard
Canon	Lotief
Celaya	Lucas
Collins	Luker
Colquitt	Mauritz
Colson	McFarland
Cooper	McKinney
Craddock	Morse
Crossley	Newton
Daniel	Nicholson
Davis	Patterson
Davison of Fisher	Payne
Dickison	Petsch
Dunagan	Pope
Dunlap of Hays	Quinn
Dwyer	Reader
Fain	Reed of Bowie
Farmer	Riddle
Fox	Roach of Angelina
Frazer	Roark
Fuchs	Roberts
Gibson	Russell
Glass	Scarborough
Good	Sessions
Gray	Settle
Greathouse	Shofner
Hankamer	Smith
Hanna	Steward
Hardin	Stinson
Harper	Stovall
Harris of Dallas	Tarwater
Hartzog	Tennyson
Herzik	Thornton
Hodges	Tillery
Hoskins	Waggoner
Huddleston	Walker
Hunt	Westfall
Hunter	Wood of Harrison
Jackson	Wood of Montague
James	Young
Jefferson	Youngblood

Nays—12

Ford	Olsen
Graves	Palmer
Hofheinz	Roach of Hunt
Jones of Falls	Rogers
McCalla	Rutta
Morris	Worley

Present—Not Voting

McConnell	Absent
Ash	Davisson
Cowley	of Eastland

Dunlap of Kleberg	Keefe
England	King
Fisher	Moore
Harris of Archer	Morrison
Head	Reed of Dallas
Holland	Roane
Hyder	Wells

Absent—Excused

Duvall	Moffett
Hill	Padgett
Howard	Spears
Jones of Atascosa	Stanfield
Lindsey	Venable
McKee	

Mr. Quinn moved the previous question on the resolution, and the main question was ordered.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—67

Adamson	Jackson
Alexander	James
Alsup	Jefferson
Bradford	Knetsch
Broyles	Lange
Butler of Brazos	Latham
Butler of Karnes	Leath
Caldwell	Lemens
Canon	Leonard
Celaya	Mauritz
Collins	McKinney
Colquitt	Morse
Colson	Nicholson
Cooper	Olsen
Craddock	Patterson
Dunagan	Petsch
Dunlap of Hays	Pope
Dwyer	Quinn
Farmer	Reed of Dallas
Fisher	Roach of Angelina
Frazer	Russell
Fuchs	Scarborough
Gibson	Sessions
Glass	Shofner
Good	Smith
Greathouse	Steward
Hankamer	Stovall
Hanna	Thornton
Hardin	Waggoner
Harris of Dallas	Walker
Hartzog	Westfall
Hodges	Wood of Harrison
Hoskins	Young
Hunt	

Nays—61

Adkins	Atchison
Aikin	Bergman

Bradbury	King
Bridgers	Lanning
Broadfoot	Lotief
Burton	Lucas
Cagle	Luker
Calvert	McCalla
Crossley	McConnell
Daniel	McFarland
Davis	Moore
Davison of Fisher	Morris
Davisson	Newton
of Eastland	Palmer
Dickison	Payne
England	Reed of Bowie
Fain	Riddle
Ford	Roach of Hunt
Fox	Roark
Graves	Roberts
Gray	Rogers
Harper	Rutta
Harris of Archer	Settle
Head	Stinson
Hofheinz	Tarwater
Huddleston	Tennyson
Hunter	Tillery
Jones of Falls	Wells
Jones of Shelby	Wood of Montague
Jones of Wise	Worley
Keefe	Youngblood

Present—Not Voting

Herzik

Absent

Ash	Hyder
Bourne	Morrison
Cowley	Reader
Dunlap of Kleberg	Roane
Holland	

Absent—Excused

Duvall	Moffett
Hill	Padgett
Howard	Spears
Jones of Atascosa	Stanfield
Lindsey	Venable
McKee	

Mr. Caldwell moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

REASONS FOR VOTE

It has always been the custom and policy of all our educational institutions through the teaching of history, the various forms of government conditions, habits, and religions of all other countries and nations of the entire world. In recent years our Institutions of learning have added

a more extended research study to their curriculum in many fields that were not touched in any way before. In the last half century there have been radical changes throughout the whole world. Forms of government have changed conditions, habits, and religions of many countries and nations; and in many instances by loss of confidence or indifference of the government to serve the masses of the people, and including our own country, on many issues. Why continue to add fuel to a flame that is fanned too much already by giving so important recognition as to waste the entire time of the whole Lower House, and not offering anything constructive or progressive that will serve to meet the welfare of our people that they will appreciate being governed by a government of the people and by the people and for the people?

YOUNGBLOOD.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, H. C. R. No. 2, by Mr. Lucas, Granting Mrs. Annie Allison permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

Mr. Jones of Wise offered the following amendment to the resolution:

Amend House Concurrent Resolution No. 2 by striking out in the last paragraph, "Hill County," and substitute in lieu thereof "Travis County."

On motion of Mr. Lucas, the amendment was tabled.

Question recurring on the resolution, it was adopted.

MESSAGE FROM THE SENATE

Austin, Texas, October 2, 1936.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has passed the following:

S. C. R. No. 4, Relative to Legislative intent concerning all road bonds to being eligible to participate in

county and road district highway fund.

Respectfully,

BOB BARKER,
Secretary of the Senate.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, H. C. R. No. 3, by Mr. Hoskins, Granting E. A. Schlick, et al, permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, H. C. R. No. 4, by Mr. Stovall, Granting John Mulkey permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

Mr. Jones of Wise offered the following amendment to the resolution:

Amend House Concurrent Resolution No. 4, by striking out in Section 1, "Ellis County" and substituting "Travis County."

On motion of Mr. Stovall, the amendment was tabled.

Question recurring on the resolution, it was adopted.

RELATIVE TO CERTAIN TEXT BOOKS TO BE USED IN PUBLIC FREE SCHOOLS

The Speaker laid before the House for consideration at this time:

S. C. R. No. 2, Relative to the use of certain text books in public free schools.

Whereas, Under the statutes relating to free text books, the State Board of Education is authorized to select and adopt a uniform system of text books to be used in the public free schools of Texas; and

Whereas, There is some uncertainty as to whether or not the State Board of Education has authority to select and adopt text books on the reading of music; and

Whereas, In the public free schools where music is being taught, especially in the bands of many of the public free schools, the pupils interested in such subject are put to quite an expense in purchasing text books on the reading of music; and

Whereas, It is deemed advisable to clarify and make certain that text books on the reading of music are included among the subjects for which text books are permitted to be selected and adopted by the State Board of Education; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That it was and is now the intention of the Legislature to include among the text books authorized to be selected and adopted by the State Board of Education, text books on the reading of music and that the reading of music is included in the subjects authorized to be taught in the public free schools of Texas; and, be it further

Resolved, That such is the Legislative construction to be placed on the statutes governing the selection of text books in the public free schools of Texas.

The resolution was read second time, and was adopted.

RECESS

On motion of Mr. Colquitt, the House at 12:10 o'clock p. m., took recess to 2:30 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:30 o'clock p. m., and was called to order by Mr. Latham.

IN COMMITTEE OF THE WHOLE HOUSE

(Mr. Latham in the Chair.)

At 2:30 o'clock p. m., Mr. McKinney moved that the House resolve itself into a Committee of the Whole House for the purpose of considering matters in regard to Old Age Pensions.

The motion prevailed.

The House accordingly, at 2:30 o'clock p. m., resolved itself into a

Committee of the Whole House for the purpose of considering matters in regard to Old Age Pensions.

IN THE HOUSE

(Mr. Latham in the Chair.)

At 5:45 o'clock p. m., Mr. Latham, Chairman of the Committee of the Whole House, reported to the House that the Committee desired to rise, report progress and ask leave of the House to sit again at 9:00 o'clock a. m., tomorrow.

The following proceedings were reported:

The Committee resumed consideration of matters pertaining to Old Age Pensions.

Mr. Oscar M. Powell, Regional Director of the Social Security Board, was called before the Committee.

Mr. Orville S. Carpenter, Executive Director of the Texas Old Age Assistance Commission, was next called before the Committee.

Mr. B. M. Poe, District Supervisor of the Old Age Assistance Commission, El Paso District, was next called before the Committee.

Mr. J. R. Mallory, District Supervisor of the Old Age Assistance Commission, Dallas District, was next called before the Committee.

At 5:45 o'clock p. m., Mr. McKinney moved that the Committee of the Whole House rise, report progress and asked leave of the House to sit again at 9:00 o'clock a. m., tomorrow.

The motion prevailed.

HOUSE BILL ON FIRST READING

The following House bill, introduced today, (by unanimous consent) was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Pope:

H. B. No. 28, A bill to be entitled "An Act providing revenues for Old Age Assistance; granting old age assistance to resident citizens of the State of Texas over the age of 65 years and prescribing the qualifications prerequisite to such assistance; prescribing the requirements of application therefor; providing for a hearing upon such application, the approval thereof and the placing of the name of the applicant upon the Pension Rolls; repealing laws in conflict herewith;

modifying Old Age Assistance Act passed at the Second Called Session of the present Legislature; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

RECESS

Mr. McKinney moved that the House recess to 9:00 o'clock a. m., tomorrow.

Mr. Daniel moved that the House recess to 10:00 o'clock a. m., tomorrow.

Question recurring on the motion by Mr. McKinney, it prevailed, and the House accordingly, at 5:55 o'clock p. m., took recess to 9:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The Committee on State Affairs filed a favorable report on House Bill No. 5.

In Memory of Hon. J. C. Albritton

Mr. Young offered the following resolution:

Whereas, On April 23, 1936, the Great Master of the Universe called from mortal existence the Honorable J. C. Albritton; and

Whereas, Mr. Albritton served his District and the State of Texas with credit and distinction as a member of the State Legislature for four consecutive terms; and

Whereas, During such service he was found to be always courteous, considerate and highly conscientious of his duties. As a Member of the Legislature he indelibly inscribed on the memory of those Members who served with him the impress of righteous and patriotic service; therefore, be it

Resolved, That the Members of the Forty-fourth Legislature express their regrets of the passing of this outstanding Statesman and worthy citizen; and, be it further

Resolved, That a copy of this resolution be spread on the Journal of today in memory of the deceased; and, be it further

Resolved, That the Chief Clerk of the House be instructed to send the family of the deceased a copy of this resolution under the seal of the Chief Clerk of the House of Representatives.

YOUNG,
OLSEN,
WALKER,
READER,
POPE,
JONES of Atascosa,
FUCHS.

The resolution was read second time.

Signed—Stevenson, Speaker; Adamson, Adkins, Aikin, Alexander, Alsup, Ash, Atchison, Bergman, Bourne, Bradbury, Bradford, Bridgers, Broadfoot, Broyles, Burton, Butler of Brazos, Butler of Karnes, Cagle, Caldwell, Calvert, Canon, Celaya, Collins, Colquitt, Colson, Cooper, Cowley, Craddock, Crossley, Daniel, Davis, Davison of Fisher, Davisson of Eastland, Dickison, Dunagan, Dunlap of Kleberg, Dunlap of Hays, Duvall, Dwyer, England, Fain, Farmer, Fisher, Ford, Fox, Frazer, Gibson, Glass, Good, Graves, Gray, Greathouse, Hankamer, Hanna, Hardin, Harper, Harris of Archer, Harris of Dallas, Hartzog, Head, Herzik, Hill, Hodges, Hofheinz, Holland, Hoskins, Howard, Huddleston, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Jones of Wise, Jones of Shelby, Jones of Falls, Keefe, King, Knetsch, Lange, Lanning, Latham, Leath, Lemens, Leonard, Lindsey, Lotief, Lucas, Luker, Mauritz, McCalla, McConnell, McFarland, McKee, McKinney, Moffett, Moore, Morris, Morrison, Morse, Newton, Nicholson, Padgett, Palmer, Patterson, Payne, Petsch, Quinn, Reed of Bowie, Reed of Dallas, Riddle, Roach of Hunt, Roach of Angelina, Roane, Roark, Roberts, Rogers, Russell, Rutta, Scarborough, Sessions, Settle, Shofner, Smith, Spears, Stanfield, Steward, Stinson, Stovall, Tarwater, Tennyson, Thornton, Tillery, Venable, Waggoner, Wells, Westfall, Wood of Montague, Wood of Harrison, Worley and Youngblood.

On the motion of Mr. Alsup, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.